

FACSIMILE TRANSMITTAL FORM	Application Number	10/614775
	Filing Date	July 7, 2003
	First Named Inventor	Allen, Richard C.
	Art Unit	2872
	Examiner Name	Ricky D. Shafer
Fax: 703-872-9306	Attorney Docket Number	52320US018
Total Number of Pages in This Submission: 4		
Date: June 21, 2005	Attorney for Applicant: Lance L. Vietzke	

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Issue Fee Transmittal <input type="checkbox"/> Amendment Transmittal	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s)	<input type="checkbox"/> Petition to Convert a Provisional Application	<input type="checkbox"/> Appeal Communication to Technology Center (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Information Disclosure Statement	<input checked="" type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Other Enclosures:
<input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR § 1.52 or 1.53 <input type="checkbox"/> Response to Missing Parts under 35 USC 371 in US Designated/ Elected Office (DO/EO/US)	<input type="checkbox"/> Request for Refund	
	<input type="checkbox"/> Request for Continued Examination (RCE) Transmittal	
<input type="checkbox"/> Drawings	<input type="checkbox"/> After Allowance Communication to Technology Center	
REMARKS:		

THE INFORMATION CONTAINED IN THIS FACSIMILE TRANSMISSION
MAY CONTAIN CONFIDENTIAL OR LEGALLY PRIVILEGED INFORMATION
INTENDED ONLY FOR THE PERSON OR ENTITY NAMED BELOW.

If you are not the intended recipient, please do not read, use, disclose, distribute or copy this transmission.
If this transmission was received in error, please immediately notify me by telephone directly at (651) 737-2180 or 651-733-1500, and we will arrange for its return at no cost to you.

USSN: 10/614775

Docket No.: 52320US018

USC §§ 154 to 156 and 173 of the Prior Patent, as presently shortened by any terminal disclaimer, in the event such Prior Patent later: (1) expires for failure to pay a maintenance fee; (2) is held unenforceable or is found invalid by a court of competent jurisdiction; (3) is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321; (4) has all claims canceled by a reexamination certificate; (5) is reissued; or (6) is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Documents establishing the chain of title of the Subject Application and of the Prior Patent (including the aforementioned assignments and recording locations) have been reviewed and I certify that, to the best of my knowledge and belief, title is in Petitioner.

I declare that all statements made herein of my own knowledge are true and that all statements made herein on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under 18 USC § 1001 and that such willful false statements may jeopardize the validity of the above-identified application or any patent issuing thereon.

Please charge the fee provided in 37 CFR § 1.20(d) and, if necessary, charge any additional fees or credit any overpayment to Deposit Account No. 13-3723. One copy of this sheet marked duplicate is also enclosed.

Respectfully submitted,

June 21, 2005

Date

By:



Douglas B. Little, Reg. No.: 28,439

Telephone No.: (651) 733-1501

Office of Intellectual Property Counsel
3M Innovative Properties Company
Facsimile No.: 651-736-3833

DUPLICATE

32692

Customer Number

RECEIVED
CENTRAL FAX CENTER

JUN 21 2005

Patent
Case No.: 52320US018

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: ALLEN, RICHARD C.

Application No.: 10/614775


Group Art Unit: 2872

Filed: July 7, 2003

Examiner: Ricky D. Shafer

Title: AN OPTICAL FILM WITH CO-CONTINUOUS PHASES

TERMINAL DISCLAIMER UNDER 37 CFR § 1.321Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR § 1.8(a)]	
I hereby certify that this correspondence is being:	
<input type="checkbox"/>	deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
<input checked="" type="checkbox"/>	transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.
June 21, 2005 Date	 Signed by: Susan M. Dacko

Dear Sir:

Petitioner, 3M Innovative Properties Company, a corporation of the State of Delaware having a place of business at 3M Center, St. Paul, MN, represents that it is the exclusive owner of the entire interest in the above-identified application (referred to as the "Subject Application") by virtue of an assignment recorded at Reel 10200, Frame 185, on August 30, 1999. Petitioner further represents that it is the exclusive owner of the entire interest in U.S. Patent No. 6,590,705 (referred to as the "Prior Patent"), by virtue that same assignment.

Petitioner disclaims the terminal part of any patent granted on the Subject Application (referred to as a "Subject Patent") which would extend beyond the expiration date of the full statutory term, as defined in 35 USC §§ 154 to 156 and 173 and as presently shortened by any terminal disclaimer, of the Prior Patent. Petitioner hereby agrees that the Subject Patent shall be enforceable only for and during such period that the legal title to such patent and the Prior Patent are commonly owned. This agreement is to run with the Subject Patent and to be binding upon the grantee, its successors, or assigns.

In making the above disclaimer, Petitioner does not disclaim any terminal part of any Subject Patent that would extend to the expiration date of the full statutory term as defined in 35

USSN: 10/614775

Docket No.: 52320US018

USC §§ 154 to 156 and 173 of the Prior Patent, as presently shortened by any terminal disclaimer, in the event such Prior Patent later: (1) expires for failure to pay a maintenance fee; (2) is held unenforceable or is found invalid by a court of competent jurisdiction; (3) is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321; (4) has all claims canceled by a reexamination certificate; (5) is reissued; or (6) is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Documents establishing the chain of title of the Subject Application and of the Prior Patent (including the aforementioned assignments and recording locations) have been reviewed and I certify that, to the best of my knowledge and belief, title is in Petitioner.

I declare that all statements made herein of my own knowledge are true and that all statements made herein on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under 18 USC § 1001 and that such willful false statements may jeopardize the validity of the above-identified application or any patent issuing thereon.

Please charge the fee provided in 37 CFR § 1.20(d) and, if necessary, charge any additional fees or credit any overpayment to Deposit Account No. 13-3723. One copy of this sheet marked duplicate is also enclosed.

Respectfully submitted,

June 21, 2005

Date

By: Douglas B. Little
Douglas B. Little, Reg. No.: 28,439
Telephone No.: (651) 733-1501

Office of Intellectual Property Counsel
3M Innovative Properties Company
Facsimile No.: 651-736-3833